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10/021,100	10/30/2001	Thomas D. Petite	STAT1230	8966

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EXAMINER	
DOAN, DUYEN MY	
ART UNIT	**PAPER NUMBER**
2152	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/021,100	PETITE, THOMAS D.	
	Examiner	Art Unit	
	Duyen M. Doan	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-53* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/5/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This office action is in response to the submission filed on 4/5/2007. Claims 1-53 are amended for examination.

Response to Arguments

Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the prior art does not teach "at least one of pollution detector type, detected pollution levels, and pollution detector operational status" examiner respectfully disagrees, the claim language only require at least one from the list of "pollution detector type, detected pollution levels, and pollution detector operational status". Salvo teaches the sensor detect the contaminant level of the ground water and transmit these information to other transceiver (see Salvo col.6, lines 31-44). Therefore, Salvo teaches the above limitation.

In response to applicant's argument that Salvo does not teach "select communication path for transceiver nodes" the argument have been considered, and persuasive but are mood in view of new ground of rejection.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, by having the identification code would ease the communications between the transceivers by knowing where the received information originated. Moreover the concept of using ID in the communication network is extremely well known, for example, in packet network, using ID (such as IP address) to identify the source of the data packet. It is reasonable to combine the teaching of Salvo and Hassan because both Salvo and Hassan discloses inventions related communication of information in a wireless transceiver network.

As regard to applicant argument that the prior art does not teach "information regarding a person with the identification code" examiner disagrees, Hassan teaches a telephone directory having identification code (such as telephone number) associate

with a particular person (see Hassan col.1, lines 60-67 to col.2, lines 1-5), Therefore Hassan teaches information regarding a person with the identification code.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-11, 13-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salvo et al (us 6356205) (hereinafter Salvo) in view of Hassan et al (us pat 5,481,532) (hereinafter Hassan) and further in view of Chuprun et al (us pat 6,115,580) (hereinafter Chuprun).

As regarding claim 1, Salvo discloses at least one transceiver and coupled to a detector configured to detect pollution, the transceiver configured to generate a pollution information message (see Salvo col.2, lines 35-66, also see figure 1, transceiver 18, coupled to sensors 12 to detect pollution, such as spill flow, land fills, contaminations, also see col.3, lines 13-25 transmitting the detected pollution in form of signal), a transceiver network, the transceiver network further comprising: a plurality of network transceivers (see Salvo col.2, lines 35-67; col.3, lines 1-67; col.4, lines 46-62, plurality of transceivers, plurality of sites with plurality of transceivers); at least one transceiver

unit configured to communicate the pollution information message with at least one of the network transceivers (see Salvo col.2, lines 35-67; col.3, lines 1-67; col.4, lines 46-62; col.6, lines 7-65; col.7, lines 54-67); the pollution information message comprises detected pollution levels (see Salvo col.6, lines 31-49, the contaminant level); and at least one site controller coupled to the transceiver unit, the site controller configured to communicate the pollution information message between the transceiver unit and an intermediary communication system such that the pollution information message is communicated with a pollution monitoring management controller coupled to the intermediary communication system (see Salvo col.2, lines 35-67; col.3, lines 1-67; col.4, lines 46-62; col.6, lines 7-65; col.7, lines 54-67, see figure 1).

Salvo does not implicitly disclose each transceiver have an identification code; network transceiver communicate information message with other network transceivers.

Hassan teaches each transceiver have an identification code (see col.1, lines 60-67; col.3, lines 8-32, each transceiver has a unique identification); network transceiver communicate information message with other network transceivers (see Hassan col.1, lines 60-67; col.3, lines 8-32, messages are transmit from one transceiver to another by relaying message packets to the intended transceiver).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Hassan to the system of Salvo to have the identification codes for the transceivers and the transceiver communicate with other transceivers because having identification code for the transceivers would allow the

system to know where the message are originated, thus simplify the communication between transceivers.

The combination of Salvo and Hassan does not disclose determining the communication path between transceivers node in the wireless radio network.

Chuprun teaches determining the communication path between transceivers in the wireless radio network (see Chuprun col.2, lines 1-6; col.3, lines 42-67, determining the paths between nodes in the wireless network).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Chuprun to the combination of Salvo-Hassan because inventions of Chuprun, Salvo and Hassan are concern with communicate information in wireless radio network, for the purpose of enhancing connectivity in a wireless communication network by selecting links to establish connections between nodes in the network (see Chuprun col.1, lines 51-55).

As regarding claim 2, Salvo-Hassan-Chuprun discloses wherein the intermediary communication system further comprises a portion of an Internet (see Salvo col.4, lines 46-62).

As regarding claim 3, Salvo-Hassan-Chuprun discloses wherein the intermediary communication system further comprises a portion of a digital communication system (see Salvo col.2, lines 35-67; col.3, lines 1-67; col.4, lines 46-62; col.6, lines 7-65; col.7, lines 54-67).

As regarding claim 4, Salvo-Hassan-Chuprun discloses wherein the intermediary communication system further comprises a portion of a public switched telephone network (see Salvo col.4, lines 46-62).

As regarding claim 5, Salvo-Hassan-Chuprun discloses wherein the intermediary communication system further comprises a combination of portions of at least an Internet, a digital communication system and a public switched telephone network (see Salvo col.4, lines 46-62).

As regarding claim 6, Salvo-Hassan-Chuprun discloses wherein the intermediary communication system further comprises a combination of portions of at least an Internet and a public switched telephone network (see Salvo col.4, lines 46-62).

As regarding claim 7, Salvo-Hassan-Chuprun discloses wherein the intermediary communication system further comprises a combination of portions of at least an Internet and a digital communication system (see Salvo col.4, lines 46-62).

As regarding claim 8, Salvo-Hassan-Chuprun discloses wherein the intermediary communication system further comprises a combination of portions of at least a digital communication system and a public switched telephone network (see Salvo col.4, lines 46-62).

As regarding claim 9, Salvo-Hassan-Chuprun discloses wherein the transceiver is coupled to a pollution detecting device and is configured to generate the pollution information message in response to a signal received from the pollution detecting device (see Salvo col.2, lines 35-67; col.3, lines 1-67; col.4, lines 46-62; col.6, lines 7-65; col.7, lines 54-67, see figure 1).

As regarding claim 10, Salvo-Hassan-Chuprun discloses a memory residing in each one of the network transceivers and the transceiver such that a communication transmission path is defined by at least one of the unique identification codes of the network transceivers and the first identification code of the transceiver, the communication transmission path being used to identify a location of the transceiver (see Hassan col.1, lines 60-67; col.3, lines 8-32). The same motivation was utilized in claim 1 applied equally well to claim 10.

As regarding claim 11, Salvo-Hassan-Chuprun discloses a memory residing in the transceiver such that the first identification code resides in the memory and such that the first identification code is included as a portion of the pollution information message, whereby the first identification code is used to identify the nature of the pollution (see Hassan col.1, lines 60-67; col.3, lines 8-32). The same motivation was utilized in claim 1 applied equally well to claim 11.

As regarding claim 13-23, the limitations are similar to claims 1-11 therefore being rejected for the same rationale as claims 1-11.

As regarding claim 24, the limitations are similar to claims 1 therefore being rejected for the same rationale as claims 1.

As regarding claim 25-35, the limitations are similar to claims 1-11 therefore being rejected for the same rationale as claims 1-11.

As regarding claim 39, Salvo-Hassan-Chuprun discloses determining a person to be contacted by associating information in a database regarding the person with the identification code of the transceiver (see Hassan col.1, lines 60-67 to col.2, lines 1-5).

As regarding claim 40, Salvo-Hassan-Chuprun discloses determine the nature of a pollution discharge (see Salvo col.5, lines 13-57) by associating information residing in a database regarding a detector configured to detect pollution coupled to the transceiver (see Salvo col.6, lines 1-30) with the identification code of the transceiver (see Hassan col.1, lines 60-67). The same motivation was utilized in claim 1 applied equally well to claim 40

As regarding claim 42, Salvo-Hassan-Chuprun discloses communicating a second pollution information message and the relevant information such as that a

person is made aware of the received second pollution information message (see Salvo col.3, lines 16-48).

As regarding claim 36-38,41, the limitations are similar to claims 1-11 therefore being rejected for the same rationale as claims 1-11.

As regarding claim 46-49, the limitations are similar to claims 1-11 therefore being rejected for the same rationale as claims 1-11.

As regarding claim 50-52, the limitations are similar to claims 1-11 therefore being rejected for the same rationale as claims 1-11.

As regarding claim 53, the limitations are similar to claims 1 therefore being rejected for the same rationale as claims 1.

Claim 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Salvo, Hassan and Chuprun as applied to claim 1 above, and further in view of Daum et al (us 2003/0046377).

As regarding claim 12, Salvo-Hassan-Chuprun discloses all limitation of claim 1 but fail to disclose a second transceiver having a second identification code and coupled to an electric distribution system, the second transceiver configured to communicate pollution information with the detector using a power line carrier (PLC) signal communicated over the electric distribution system, and further configured to communicate the pollution information message with at least one of the network transceivers.

Daum teaches using PLC signal communicated over the electric distribution system (see Daum pg.1, par 4-7).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Daum to the system of Salvo-Hassan-Chuprun to use PLC signal communicated over the electric distribution system because using the PLC existed in the prior art would provided improved data rates and noise immunity at reasonable cost (see Daum pg.1, par 6).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner
Duyen Doan
Art unit 2152

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

6/18/7